

1 **DICKINSON WRIGHT PLLC**  
2 MICHAEL N. FEDER (Nevada Bar No. 7332)  
3 Email: [mfeder@dickinson-wright.com](mailto:mfeder@dickinson-wright.com)  
4 3883 Howard Hughes Parkway, Suite 800  
5 Las Vegas, Nevada 89169  
6 Tel: (702) 550-4400  
7 Fax: (844) 670-6009

5 **MINTZ & GOLD, LLP**  
PETER GUIRGUIS (Admitted Pro Hac Vice)  
6 Email: [guirguis@mintzandgold.com](mailto:guirguis@mintzandgold.com)  
SCOTT KLEIN (Admitted Pro Hac Vice)  
7 Email: [klein@mintzandgold.com](mailto:klein@mintzandgold.com)  
600 Third Avenue  
8 New York, NY 10016  
Tel: (212) 696-4848  
9 Fax: (212) 696-1231

10 | *Attorneys for Venetian Casino Resort, LLC and  
Interfact Group-Nevada, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

VENETIAN CASINO RESORT, LLC, a Nevada limited liability company.

**Plaintiff.**

V

ENWAVE LAS VEGAS LLC, a Delaware limited liability company.

Defendant.

Case No. 2:19-cv-01197-JCM-DJA

**STIPULATION AND [PROPOSED]  
ORDER FOR AN EXTENSION OF  
TIME FOR VCR AND INTERFACE TO  
RESPOND TO GCS'S AMENDED  
COUNTERCLAIM**

[SECOND REQUEST]

ENWAVE LAS VEGAS LLC, a Delaware limited liability company.

#### **Counterclaimant.**

V

VENETIAN CASINO RESORT, LLC, a Nevada limited liability company, and INTERFACE GROUP-NEVADA, INC., a Nevada corporation.

### Counterdefendants

1 GRAND CANAL SHOPS II, LLC, a  
2 Delaware limited liability company,

3 Counterclaimant,

4 v.

5 VENETIAN CASINO RESORT, LLC, a  
6 Nevada limited liability company

7 Counterdefendant.<sup>1</sup>

8 Plaintiff/Counterdefendant VENETIAN CASINO RESORT, LLC, (“VCR”) and  
9 Counterdefendant INTERFACE GROUP-NEVADA, INC. (“Interface,” collectively with VCR,  
10 “Venetian Parties”), by and through their counsel of record the law firms of Dickinson Wright  
11 PLLC and Mintz & Gold, LLP, Defendant/Counterclaimant ENWAVE LAS VEGAS LLC  
12 (“Enwave”), by and through its counsel of record the law firms of Brownstein Hyatt Farber  
13 Schreck, LLP and Baker Donelson Bearman Caldwell & Berkowitz, PC, and Intervenor GRAND  
14 CANAL SHOPS II, LLC (“GCS”), by and through its counsel of record the law firms of King &  
15 Spalding LLP and Santoro Whitmire, hereby stipulate and agree, subject to this Court’s approval,  
16 pursuant to Local Rule 7-1 and Local Rule IA 6-1 to extend (a) the deadline for Enwave to  
17 supplement its response to Venetian Parties’ discovery requests (deadline for initial responses  
18 was March 22, 2021); (b) the deadline for the Venetian Parties to file a Reply in support of the  
19 Motion to Strike GCS’s Counterclaim and to Revoke GCS’s Intervenor Status (“Motion to  
20 Strike”) (current deadline is April 13, 2021); and (c) the deadline for the Venetian Parties to file  
21 a response to GCS’s Amended Counterclaim (current deadline is April 13, 2021), as follows:

22 1. On January 11, 2021, GCS filed its Counterclaim against Enwave (ECF No. 68);

23 2. On January 26, 2021, the Court approved the Parties’ Stipulated Discovery Plan  
24 and Scheduling Order, providing for Enwave to respond and produce documents in response to  
25 the Venetian Parties’ discovery requests by February 19, 2021 (ECF No. 72);

26 3. On February 1, 2021, the Parties filed a Stipulation and Proposed order for

28 <sup>1</sup> The Venetian Parties object to the caption as incorrectly listing VCR as the Counter Defendant.

1 Extension of time for Enwave to respond to GCS's Counterclaim (ECF No. 74) ("First  
2 Stipulation");

3       4. On February 1, 2021, the Venetian Parties filed a Motion to Strike GCS's  
4 Counterclaim and to Revoke GCS's Intervenor Status (ECF No. 75);

5       5. The Court approved the First Stipulation, providing Enwave until February 11,  
6 2021, to respond to GCS's Counterclaim (ECF No. 76);

7       6. On February 10, 2021, GCS filed its Amended Counterclaim (ECF No. 77);

8       7. On February 16, 2021, GCS filed its Response to the Venetian Parties' Motion to  
9 Strike (ECF No. 78);

10      8. Enwave then requested additional time to respond and produce documents in  
11 response to the Venetian Parties' Rule 34 discovery requests and the Venetian Parties, as a  
12 professional courtesy, agreed to the same, contingent upon GCS agreeing to an extension of the  
13 deadline for the Venetian Parties to file the Reply in support of the Motion to Strike and the  
14 deadline to file any new motion to strike with respect to GCS's Amended Counterclaim, to  
15 which GCS agreed;

16      9. On February 23, 2021, the parties filed a stipulation and proposed order to extend  
17 (a) the deadline for Enwave to respond and produce documents in response to the Venetian  
18 Parties' Rule 34 discovery requests, and to respond to GCS's Amended Counterclaim, to March  
19 22, 2021; (b) the deadline for the Venetian Parties to file a response to GCS's Amended  
20 Counterclaim to April 13, 2021; and (c) the deadline for the Venetian Parties to file a Reply in  
21 support of the Motion to Strike GCS's Counterclaim to April 13, 2021. (ECF No. 79);

22      10. On February 25, 2021, the Honorable Magistrate Judge Brenda Weksler approved  
23 the parties' February 23, 2021 stipulation (the "Stipulated Order"). (ECF No. 80.) To give the  
24 Venetian Parties the opportunity to review Enwave's document production prior to further  
25 briefing, the Stipulated Order provided for (a) Enwave to respond and produce documents in  
26 response to the Venetian Parties' Rule 34 discovery requests, and to respond to GCS's Amended  
27 Counterclaim, by March 22, 2021; (b) for the Venetian Parties to file any motion to strike GCS's  
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1 Amended Counterclaim by April 13, 2021; and (c) for the Venetian Parties to file a Reply Brief  
2 in support of its Motion to Strike by April 13, 2021;

3       11. On March 22, 2021, Enwave filed its Answer to GCS's Amended Counterclaim  
4 (ECF No. 83);

5       12. On March 22, 2021, Enwave also served responses and made a document  
6 production in response to the Venetian Parties' discovery requests;

7       13. On March 23, 2021, a dispute arose regarding the sufficiency of the production,  
8 which the parties believe can be resolved with additional time for Enwave to serve a supplemental  
9 production rather than involving the Court at this juncture;

10      14. Given the foregoing, and to give the Venetian Parties the opportunity to review  
11 Enwave's document production prior to further briefing, all parties have agreed to an extension  
12 of the deadline for Enwave to supplement its response to the Venetian Parties' Rule 34 discovery  
13 requests to April 27, 2021. The parties have also agreed to extend the Venetian Parties' deadline  
14 to file any motion to strike GCS's Amended Counterclaim (ECF No. 77) and extending the  
15 Venetian Parties' deadline to file a Reply Brief in support of its Motion to Strike to May 18,  
16 2021 (ECF. No. 84);

17      15. Accordingly, all parties hereby stipulate, subject to the Court's approval, that the  
18 Venetian Parties shall file any motion to strike GCS's Amended Counterclaim by May 18, 2021.  
19 This is the second request to extend the foregoing deadlines, and all parties submit that good  
20 cause exists for these extensions and that they are not intended for purposes of delay.

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<p>1 DATED this 23<sup>rd</sup> day of April, 2021.</p> <p>2 DICKINSON WRIGHT PLLC</p> <p>3</p> <p>4 <u>/s/: Michael N. Feder</u></p> <p>5 MICHAEL N. FEDER, ESQ. (NBN 7332) 3883 Howard Hughes Parkway, Suite 800 Las Vegas, Nevada 89169</p> <p>6 PETER GUIRGUIS, ESQ. (Pro Hac Vice) SCOTT KLEIN, ESQ. (Pro Hac Vice) MINTZ &amp; GOLD, LLP 600 Third Avenue New York, NY 10016</p> <p>7</p> <p>8</p> <p>9 <i>Attorneys for Plaintiff-Counterdefendant Venetian Casino Resort, LLC and Counterdefendant Interface Group-Nevada, Inc.</i></p>	<p>1 DATED this 23rd day of April, 2021.</p> <p>2 BROWNSTEIN HYATT FARBER SCHRECK, LLP</p> <p>3</p> <p>4 <u>/s/: Matthew A. Woolf</u></p> <p>5 ADAM K. BULT, ESQ. (NBN 9332) EMILY A. ELLIS, ESQ. (NBN 11956) 100 North City Parkway, Suite 1600 Las Vegas, NV 89106-4614</p> <p>6 MATTHEW A. WOOLF, ESQ. (Pro Hac Vice)</p> <p>7 BAKER DONELSON BEARMAN CALDWELL &amp; BERKOWITZ PC 201 St. Charles Avenue, Suite 3600 New Orleans, LA 70170</p> <p>8</p> <p>9 <i>Attorneys for Defendant-Counterclaimant Enwave Las Vegas LLC</i></p>
<p>10</p> <p>11 DATED this 23<sup>rd</sup> day of April, 2021.</p> <p>12 SANTORO WHITMIRE</p> <p>13</p> <p>14 <u>/s/: Matthew Brigman</u></p> <p>15 JAMES E. WHITMIRE, ESQ. (6533) 10100 W. Charleston Blvd., Suite 250 Las Vegas, Nevada 89135</p> <p>16 LAWRENCE SLOVANSKY, ESQ. (Pro Hac Vice)</p> <p>17 KING &amp; SPALDING LLP 1180 Peachtree St. NE Atlanta, GA, 30309</p> <p>18</p> <p>19 <i>Attorneys for Intervenor- Defendant/Counterclaimant Grand Canal Shops II, LLC</i></p> <p>20</p>	

21 **ORDER**

22 IT IS SO ORDERED . DATED: April 30, 2021.



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24 Honorable Magistrate Judge Brenda Weksler

25 **United States Magistrate Judge**

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